

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BRIAN O'DONNELL,**  
**Plaintiff,**

**v.**

**TINICUM TOWNSHIP; POLICE  
OFFICER WILLIAM H. YOUNG;  
POLICE OFFICER KEVIN W GAUL,**  
**Defendants.**

**CIVIL ACTION**

**NO. 14-2171**

**ORDER**

**AND NOW** this 11<sup>th</sup> day of June, 2015, upon consideration of the Motion for Partial Summary Judgment of Defendant Police Officer Kevin W. Gaul to Plaintiff's Second Amended Complaint (ECF No. 25) and the opposition thereto and after oral argument, **IT IS ORDERED** that the Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

The Motion is **GRANTED** as to Plaintiff's claim under the Fourteenth Amendment.

The Motion is **DENIED** in all other respects.

**BY THE COURT:**

**/S/WENDY BEETLESTONE, J.**

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**WENDY BEETLESTONE, J.**